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10 *Elevate Labs, LLC and MindSnacks, Inc.*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

14 JONATHAN KROSKEY, individually and on
behalf of all others similarly situated,

15 Plaintiff,

16 vs.

17 ELEVATE LABS, LLC and MINDSNACKS,
18 INC.,

19 Defendant.

Case No. 5:24-cv-08113-EJD

Assigned to: Hon. Edward J. Davila

STATEMENT OF RECENT DECISION

CLASS ACTION

Pursuant to Local Civil Rule 7-3(d)(2), Defendants Elevate Labs, LLC and MindSnacks, Inc. (“Defendants”) respectfully submit this Statement of Recent Decision to bring to the Court’s attention relevant authority issued after Defendants’ Motion to Compel Arbitration (ECF No. 14) was fully briefed.

On April 18, 2025, United States District Court Judge Trina L. Thompson issued a decision in *Sarhadi v. Pear Health Labs, Inc.*, No. 3:24-cv-07921-TLT, granting the defendant’s motion to compel arbitration and denying its motion to dismiss as moot. A copy of the order is attached for the Court’s reference as Exhibit A. A copy of the defendant’s sign-in screen, cited in the *Sarhadi* decision at page 8 (and appearing on page 3 of ECF No. 25), is excerpted here for ease of review and attached for the Court’s reference as Exhibit B.

Date: May 13, 2025

SIDLEY AUSTIN LLP

By: /s/ Ian M. Ross

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